

NEED OF IMPROVEMENT OF SYSTEM OF PUBLIC ADMINISTRATION IN THE FIELD OF THE CONSERVATION OF THE ENVIRONMENT

Aleksandra Dyldina

Perm State National Research University, Perm, Russia

Development and perfection of management of the conservation of the environment linked with the basic transformations of a society, objective conditions of human development. Executive establishment of control has come to discrepancy with new economic and ecological requirements.

Last decade in the Russian Federation amendments and additions have been accepted to following laws:

- Federal law “Concerning the Protection of the Environment” d/d 10.01.2002 №7 – Federal law (F.L.);
- Federal law “On Protection of Atmospheric Air” d/d 4.05.1999 № 96 – F.L.;
- Federal law “Concerning Fauna” d/d 24.04.1995 № 52 – F.L.;
- Federal law “Concerning Ecological Appraisal” d/d 23.11.1995 № 174 – F.L.;
- Law “Concerning Subsurface Resources” d/d 21.02.1992 № 2395 – 1;
- The Land Code of RF d/d 25.10.2001 № 136 – F.L.;
- The Water Code d/d 3.06.2006 г. № 74 – F.L.;
- The Forestry Code d/d 4.12.2006 г. № 200 – F.L. and other.

They have essentially changed a social and economic situation in the country that demands revision of functions and system of administrating authorities of environment, government perfection in this area.

The government means state policy realization through system of authorities (government authorities) at which state-imperious powers are delegated top-down.

The state government in the field of conservation of the environment is a part of social management, and this is considered as one of functions of the Russian Federation. Environmental management and management of conservation of the environment exist to provide realization of the environmental law. Both public value of the right as a whole and the rights of citizens for favorable environment is shown, first of all, in the process of realisation of corresponding instruction in law.

Chapter II of Federal Law “Concerning the Protection of the Environment” is devoted to bases of management in the field of environmental preservation. The law-maker allocates empowerment: for government authorities of the Russian Federation, government authorities of subjects of the Russian Federation in sphere of the relations connected with conservation of the environment, and also bases of management in the field of the conservation of the environment that carry out by local governments. However, not all legal instructions now that register in standard legal certificates are executed properly.

Environment-oriented relations and the relations connected with management of natural resources are regulated now by variety of laws frequently contradicting each other. Besides, in our country the complex system of the state ecological monitoring till now isn't created.

Environment and natural resources are a basis for the further social and economic development of the country and its separate regions, a guarantee of normal ability to live of the present and the future generations. But its condition in some industrial regions of Russia, such as Ural, Volga region and others, causes concern. Available reserves of natural resources, such as bowels, woods, waters, are used insufficiently effectively. Interests of the nation as the owner of natural resources are often protected not to the full, and for users of natural resources accurate conditions and stimulus to their effective use aren't defined. The system of environment-oriented regulation in Russia doesn't meet the requirements that shown to such systems in the countries with the developed market economy, and loses to them under many factors.

The normative legal base of regulation of conservation of the environment and environmental management is characterized by following basic lacks:

1. Absence of accurate differentiation of empowerment of the Russian Federation and its subjects in environmental management and conservation of the environment sphere;
2. Irregularity of system of penalties and payments in case environmental contamination, and other economic and financial tools of environmental management;
3. Absence of full coordination between the institution which are carrying out control in sphere of environmental management and preservation of the environment;
4. Irregularity of system of information support of state regulation of environmental management;
5. Absence of necessary legal fastening of forms of participation of public organizations, and also citizens in control over use, reproduction and protection of natural resources.
6. Necessity of reforming of the ecological legislation for government system is caused by radical changes of economic system of Russia, democratic transformations of the state and public life. Declaration of the Russian Federation as a lawful state, supremacy of law, the concept of separation of powers assumes serious legal changes in government system, including the field of environmental protection, maintenance of favorable natural conditions of residing of citizens.

References:

1. Concerning the Protection of the Environment: Federal Law d/d 10.01.2002. № 7 – Federal Law. – M.: «Omega – L», 2010. – 62 p.
2. Shemshuchenko Y.S. Legal problems of ecology / Y.S. Shemshuchenko K.: Naukova dumka, 1989. – 231 p.